

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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HECTOR LOPEZ,

Plaintiff,

Case No.: 07 cv 10707(PKL)

-against-

RICHARD WELLS, NEW ENGLAND MOTOR  
FREIGHT, INC.,

Defendant(s).

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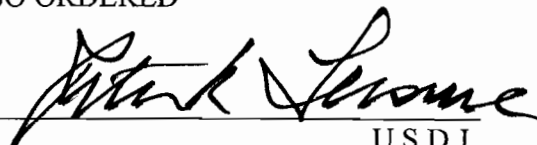
### STIPULATION AND ORDER OF DISMISSAL

A proposed settlement agreement having been reached between plaintiff and defendants Richard Wells and New England Motor Freight Inc., it is hereby stipulated and agreed that this action including all claims for indemnity, is discontinued as to all parties pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure, with prejudice, but with each party to pay its own costs and attorneys fees.

It is further stipulated and agreed that if the settlement is not consummated and the settlement funds are not paid within thirty (30) days of the entry of this order, this action will be restored to the active docket of this Court upon written application of plaintiff's counsel, on notice to all parties.


Dated: Lake Success, NY  
September 2, 2008

SO ORDERED

  
\_\_\_\_\_, U.S.D.J.

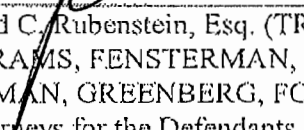
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